Annex to the letter dated 7 March 2017 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Concept note for the Security Council's open debate entitled "Trafficking in persons in conflict situations: forced labour, slavery and other similar practices" (14 march 2017)

Background

1. Human trafficking and modern slavery are global crimes, with victims and offenders often moving across borders between source, transit and destination countries. There are varying estimates of the total number of victims of modern slavery across the world. The hidden nature of trafficking and modern slavery and the methodological differences in the calculation of estimates impose limits on the data available, but the International Labour Organization estimates that there are 21 million victims of forced labour alone, 5.5 million of whom are children, and that this activity generates $150 billion in illegal profits each year.[1]

2. Complex conflicts involving armed groups, terrorists and powerful transnational criminal networks have led to a rise in the exploitation of people through trafficking. This exploitation takes many forms,[2] including forced labour, slavery and recruitment by armed groups. Exploitation in those situations can occur because of the increased vulnerability of people fleeing conflict as a result of widespread human, material and economic losses, a general erosion of the rule of law, the concentration of large numbers of vulnerable people in informal dwellings and camps, and new or increased activity by armed and terrorist groups.

Transnational organized crime and terrorist groups

3. Criminal networks and traffickers adapt their approaches during crises, targeting groups that become vulnerable, such as displaced populations. Armed groups, terrorists and criminal networks use the various forms of exploitation to fund and sustain their operations, often exacerbating and perpetuating conflict situations. This disregard for the rights and dignity of people caught up in conflict and the humanitarian crises that frequently accompany them devastate communities and pose a threat to international peace and security.

4. The link between trafficking in persons, organized crime and terrorism was recognized by the General Assembly in its resolution 70/291 on the United Nations Global Counter-Terrorism Strategy Review, in which the Assembly expressed concern that terrorists might benefit from transnational organized crime in some regions, including from trafficking in persons. This has been demonstrated in Libya, where the smuggling of migrants and trafficking in persons have provided both direct and indirect funding to armed and terrorist groups and undermined the State further by fuelling corruption (see S/2016/949).

5. On 16 December 2015, the Security Council held its first thematic briefing on human trafficking in situations of conflict (see S/PV.7585). In the statement by the President of the Security Council adopted at that meeting (S/PRST/2015/25), the Council requested the Secretary-General to report to the Council on progress made

[1] See www.ilo.org/global/topics/forced-labour/statistics/lang--en/index.htm.

[2] See the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (United Nations, *Treaty Series*, vol. 2237, No. 39574).

to implement better existing mechanisms countering trafficking in persons. In the consequential report by the Secretary-General (S/2016/949) and Security Council resolution 2331 (2016), substantial steps were made to establish links between trafficking in all its forms, terrorism and conflict. In resolution 2331 (2016), the Council also condemned all instances of trafficking in persons in areas affected by armed conflict situations and stressed that trafficking in persons undermined the rule of law and contributed to other forms of transnational organized crime.

Vulnerability

6. In resolution 2331 (2016), the Security Council highlighted in particular the case of sexual exploitation through human trafficking and its use as a tactic of terrorism by the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh) and other terrorist and armed groups. ISIL, Boko Haram and other groups openly advocate the enslavement of women and children. They forcibly recruit and use children in conflict situations and press civilians into forced labour that profits or sustains the groups. Globally, 79 per cent of all detected victims of trafficking are women and children.[3] In conflict situations, this often manifests itself through child, early and forced marriage, exploitative domestic work and sexual slavery. Men and boys are also frequently exploited through forced labour, for example for the exploitation of natural resources, or as combatants. The recruitment of children into armed groups where they are often exposed to high levels of violence, abuse, exploitation and injury has been widely documented. The United Nations Children's Fund estimates that between 15,000 and 16,000 children have been victims of recruitment by armed forces and groups since the civil war began in South Sudan in December 2013.[4]

7. The use of human trafficking as a tactic by armed groups and criminal networks in armed conflict is a particular risk to displaced communities, whether people are displaced internally or become refugees in neighbouring countries. People escaping from war and persecution are particularly vulnerable to trafficking. In conflict situations, such as in Libya and Mali,[5] armed groups and criminal networks prey on migrants, refugees and internally displaced persons, as well as citizens, further destabilizing the countries and fuelling criminality and violence. The United Nations Office on Drugs and Crime estimates that about 60 per cent of victims of trafficking who have been detected globally are foreigners in the country where they have been identified, most of them migrants (S/2016/949, para. 4).

Response of the United Nations

8. In resolution 2331 (2016), the Security Council called upon Member States to take decisive and immediate action to prevent, criminalize, investigate, prosecute and ensure accountability of those who engage in trafficking in persons, and to disrupt and dismantle the networks involved. The Council underscored the importance of international law enforcement cooperation, encouraged Member States to build strong partnerships with the private sector and civil society and urged a strengthened humanitarian community's response to protect the most vulnerable. It welcomed further briefings on trafficking in persons in armed conflict and requested the Secretary General to report within 12 months on strengthening coordination within the United Nations system and to make recommendations.

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[3] See United Nations Office on Drugs and Crime, *Global Report on Trafficking in Persons 2016*, fig. 80.

[4] United Nations Children's Fund, "Monitoring and reporting mechanism: the crisis in South Sudan", briefing note (October 2015).

[5] As referenced in resolutions 2240 (2015) and 2295 (2016), respectively.

9. Ending slavery in conflict situations will contribute to intensifying efforts to combat terrorism by eradicating a source of income for violent extremists. There is a particular need to step up efforts to disrupt related transnational organized criminal networks that are engaged in people trafficking (including from, through and to conflict zones) or that seek to take advantage of instability in post-conflict situations to conduct illicit activities or corrupt the State in order to carry out such activities. There is an urgent need for an increased response to this issue through the Security Council and the wider United Nations system, one focused on the immediate and longer-term options for risk mitigation.

10. Strengthened cooperation within the United Nations, between countries and among a range of non-State actors, including the private sector, will be vital in disrupting and dismantling groups that seek to prey on the most vulnerable and use slavery as a means to undermine peace and security. This cooperation should rely on tools familiar to the Security Council, such as the robust and consistent use of the full range of existing mechanisms for anti-money-laundering, countering the financing of terrorism and applying sanctions, as well as those less familiar — including increased work with the private sector to prevent national economies from being contaminated by illicit funds linked to modern slavery and other forms of transnational organized crime.

Key questions

11. Key questions are:

(a) How can the Security Council better address the increasing use of trafficking, forced labour and modern slavery by armed groups, terrorist groups and transnational organized crime groups?

(b) How can the Security Council promote greater cooperation on law enforcement and economic sanctions to disband the criminal networks that prey on vulnerable people and create vulnerability in conflict situations?

(c) How can the particular vulnerabilities of refugees, displaced persons and marginalized groups be addressed through the work of the United Nations and its Member States?

(d) How can the United Nations system enhance its effectiveness and coordination against trafficking in persons, forced labour and modern slavery?

(e) How can we ensure that evidence is preserved so that investigations and prosecutions may take place? How can we ensure accountability of those who enslave, engage in trafficking in persons or utilize forced labour in conflict situations?

Format

12. The format of the meeting is an open ministerial debate of the Security Council, open to Member States of the United Nations, under the presidency of the United Kingdom of Great Britain and Northern Ireland.

Briefers

13. The briefers will be:

- The Secretary-General
- Kevin Hyland, Independent Anti-Slavery Commissioner (United Kingdom)
- Ilwad Elman, from the Elman Peace and Human Rights Centre (Somalia)